

WARRICK COUNTY BOARD OF COMMISSIONERS
RESOLUTION NO. 2006- 07

**RESOLUTION AGREEING TO SELL PROPERTY
TO THE WARRICK COUNTY DEPARTMENT
OF PARKS AND RECREATION**

WHEREAS, Warrick County is the owner of real estate located in Warrick County, State of Indiana, bounded and described as follows, to-wit:

A tract of land in Boon Township, Warrick County, Indiana, lying south and adjacent to the existing 4-H Center property, and west of Roth Road and being more particularly described as follows:

The north one-half (1/2) of the southeast quarter (1/4) of the northeast quarter (1/4) of Section 36, Township 5 South, Range 8 West, and containing Twenty (20) acres more or less.

WHEREAS, the Board of Commissioners have agreed to convey the aforementioned real estate to the Warrick County Department of Parks and Recreation by Quitclaim Deed for a total consideration of One Dollar (\$1.00), subject, however, to the condition that it be developed as a sports complex for the use of the citizens of Warrick County, within three years from the date of transfer, and in the event that the planned development project is not completed, or substantially completed within that time frame, the property is to be re-conveyed by the Warrick County Department of Parks and Recreation to Warrick County for the same amount for what it was sold; and

WHEREAS, the Board of Commissioners deem it to be in the best interest of the citizens of Warrick County to sell said real estate to the Warrick County Department of Parks and Recreation; and

WHEREAS, Indiana Code 36-1-11-8 authorizes the transfer of property with another governmental entity upon such terms and conditions as agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity. Said law further provides that such transfer may be made for any amount of real property, cash or other personal property as agreed by the entities.

WHEREAS, the Warrick County Department of Parks and Recreation has represented to the Board of Commissioners that it will develop the property as planned to the best of its ability.

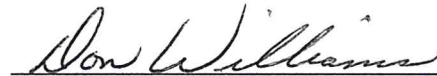
NOW THEREFORE BE IT RESOLVED by Warrick County, by and through its Board of Commissioners, that Warrick County sell and the Warrick County Department of Parks and Recreation purchase the real estate described above for the sum of One Dollar (\$1.00);

NOW THEREFORE BE IT FURTHER RESOLVED that the Warrick County Department of Parks and Recreation shall be responsible for all document drafting, closing costs, title insurance, document recording fees, and any other costs associated with this transaction and the closing thereof; and

NOW THEREFORE, BE IT FURTHER RESOLVED that if the property described above is not substantially completed as a sports complex within three years from the date of transfer, the property shall be re-conveyed by the Warrick County Department of Parks and Recreation to Warrick County for One Dollar (\$1.00).

**WARRICK COUNTY
BOARD OF COMMISSIONERS**

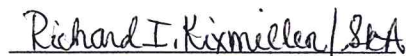

Carl J. Conner, President


Don Williams, Vice-President


Phillip H. Baxter, Member

12-30-06

ATTEST:


Richard I. Kixmiller, Auditor
Warrick County, Indiana

Roger Emmons

From: Noelle Mominee [nmominee@warrickcounty.gov]
Sent: Tuesday, December 19, 2006 3:47 PM
To: Roger Emmons
Subject: Re: Parks Board Resolution

Mr. Emmons,

I have reviewed the legal description provided and it is accurate with the piece of property.

If you have any other questions let me know.

Sincerely,

Noelle N. Mominee
Warrick County Assistant Engineer

----- Original Message -----

From: Roger Emmons
To: Noelle Mominee
Cc: Bobby Howard
Sent: Monday, December 18, 2006 2:27 PM
Subject: FW: Parks Board Resolution

Noelle,

I am forwarding County Attorney Doug Welp's email so that you can review the legal description to make sure the correct property is described for the acreage to be transferred to the Parks Department for use as a girl's softball facility on the 80 acre county-owned tract east of Boonville (site of the highway department, dog pound, jail, Harbor House, and 4-H Center).

Thanks,
Roger

From: Welp, Douglas [mailto:DWELP@bamberger.com]
Sent: Monday, December 18, 2006 2:23 PM
To: roger@warrickcounty.gov
Subject: Parks Board Resolution

Roger - I attach a proposed resolution to transfer property to the parks department. Could you forward it to someone in engineering [Bobby is out until '07] so that they can review the legal description and make certain the correct property is described? I did not draft the legal description, and I just want to make sure of its accuracy before the board passes the resolution. I don't think we need to do a survey, but would like someone to check the legal description to make sure we're dealing with the correct property. Thanks. Doug

Doug A. Welp
Bamberger, Foreman, Oswald and Hahn, LLP
20 N.W. 4th Street
PO Box 657
Evansville, IN 47704

12/20/2006

Roger Emmons

From: Welp, Douglas [DWELP@bamberger.com]
Sent: Monday, December 18, 2006 2:23 PM
To: roger@warrickcounty.gov
Subject: Parks Board Resolution
Attachments: KM8841-Resolution Agreeing to Sell Pr.DOC

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Doug A. Welp
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Bamberger, Foreman, Oswald and Hahn, LLP

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12/18/2006